



United States Department of the Interior

Fish and Wildlife Service

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

IN REPLY REFER TO
1-1-02-TA-267

November 26, 2001

Ms. Kae Lewis
Project Manager
California Energy Commission
1516 9th Street
Sacramento, California 95814

Subject: Endangered Species Issues Related to the Russell City Energy Center,
Hayward, California

Dear Ms. Lewis:

This letter follows our November 8, 2001, meeting between you and your staff and Don Hankins of my staff. The purpose of the meeting was to review information provided with respect to the Russell City Energy Center and identify the need for further information to complete consultation on the project. To reiterate, the species we are considering affects to include the endangered salt marsh harvest mouse (*Reithrodontomys raviventris raviventris*), California clapper rail (*Rallus obsoletus longirostris*), California least tern (*Sterna antillarum browni*), and threatened western snowy plover (*Charadrius alexandrinus nivosus*) which are protected pursuant to the Endangered Species Act of 1973, as amended.

Per our meeting four issues remain unresolved with respect to the project. These issues are as follows:

- (1) Acquisition of habitat adjacent to the Hayward Area Recreation District marsh to compensate for affects of the project. This should include a Service-approved conservation easement held by a Service approved conservation organization.
- (2) Development of a management plan that includes perch deterrents, monitoring, and a contingency plan.
- (3) Installation of bird flight diverters approved by the Service should be installed on ground wires and maintenance measures should be applied on an as needed basis

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- (4) Development of a Service approved noise reduction plan for construction and operation activities.

The U.S. Fish and Wildlife Service cannot determine if this project will require formal or informal consultation until we have received sufficient information to clarify the issues above. If you have further questions regarding this letter, please contact Don Hankins or Daniel Buford at (916) 414-6625.

Sincerely,



Jan C. Knight
Chief, Endangered Species Division

cc

Calvin Fong, Corps, San Francisco, CA

Doug Davy, Foster Wheeler Environmental Corporation, Sacramento, CA